

THE ARIZONA SILVER BELT.

OFFICIAL PAPER OF GILA CO.

Saturday, April 2, 1887.

This paper is kept on file at E. C. Baker's Advertising Agency, 61 and 63 Merchants' Exchange, San Francisco, Cal., where contracts for advertising can be made for it.

POST OFFICE RULES.

Office open from 7 A. M. to 7 P. M., daily. Sundays—one hour after mail arrives. Mail closes going East and West at 7:45 A. M. daily. Money Order Department—closes at 5 P. M. daily—Sundays excepted. Mails go to San Carlos and Maricopa every Monday, Wednesday and Friday—to Catalina, Ariz., Santa Fe, Payson, etc., every Monday. These mails close the night previous at 9 P. M. ALONZO BAILEY, P. M.

LOCAL NEWS.

Cigars at Van Wagenen's.
District Court convenes on the 18th inst.
Rev. D. W. Calfee, will preach at Miami to-morrow night at 7:30.
The McMillen mill will be started up on Monday, in charge of S. Tidwell.
W. J. Tweed's big teams came in from Phoenix this week, with 45,000 pounds of barley and flour for E. F. Kellner.
Geo. A. Allen and G. J. Scanland, from Lower Tonto, spent last Saturday and Sunday in Globe, and returned to the ranch on Monday.
Rev. John H. Gill, will preach at Miami this evening (Saturday) at 7:30, and at 11 A. M. to-morrow. He will occupy the pulpit here to-morrow evening at 7:45.
Don't forget—the Club meeting to-night at Athletic Hall—election of officers—Medals—Entertainment—Storage—and other matters to be discussed. "Git thar!"
Charles Holborn returned from Phoenix on Thursday and is enthusiastic over that city and adjacent country, which are experiencing a healthy boom.
Norrick—On and after Tuesday the 5th inst., those indebted to me will please call and settle with Mr. E. H. Cook, who is authorized to collect all my accounts. W. H. Cook.

Rich ore has been struck in several places in the old Silver Era mine and it gives promise of becoming one of the best silver producers in Globe District. Frank Burke is lessee of the property.
T. C. Stallo, who has been absent for some weeks at his ranch in the Sierra Anchas, returned on Thursday. He brought with him five fine young horses, all broke to ride, which he will dispose of here.
W. H. Fisher, of Wild Rye, was in town for a day or two the present week. He says cattle on Rye creek are looking better than those on the Tonto range, but some are quite poor in flesh. With timely summer rains, no material losses are anticipated.
G. A. C.—There will be an important business meeting of the Athletic Club this (Saturday) evening. All members in good standing are earnestly invited to be present as this will be the last meeting until Sept. 3rd.
G. M. ALLISON. F. E. BLACKBURN. Sect. Pres.

Dr. A. S. Adler, who has been a resident of Globe for some time, engaged in the practice of medicine, being impressed with the great possibilities of Nogales, has decided to locate in that prosperous frontier town, and will leave Globe on Thursday next. His departure will be regretted by his many friends here.
Lient. Watson, Mr. Miller and a packer from San Carlos, spent Tuesday and Wednesday, of the present week, here. They are in charge of a party of Agency Indians who are gathering all the government cattle on the outskirts of the reservation, with a view of moving them to the interior, on the San Carlos river.
One of our Tucson exchanges states that David Henderson talks of opening a bank in Phoenix. The present unprecedented prosperity of Salt river valley, doubtless justifies such a step, especially as Mr. Henderson is a banker of much experience and ability and, besides being financially "beeled" himself, has strong backing.

The Flagstaff Champion, of the 26th ult., contains the following in reference to the A. M. B. railroad: Yesterday ten miles and fifty-one feet of the Mineral Belt road was completed, the track being permanently laid and the engine and construction train going out that distance on the road. It is the intention of the management to build another ten miles before the first of May.
An excursion train will leave here on Sunday for the end of the Mineral Belt road some 11 miles distance. Involuntarily have been extended to the citizens of Flagstaff generally and without doubt a large number will avail themselves of the opportunity to make the trip and see for themselves how the construction of the road is progressing.

It will be remembered that Frank Thornton was tried at the September term (1885) of the District Court, upon information (by order of Judge D. H. Pinney) for the murder of Dun Wagner, found guilty of manslaughter and sentenced to ten years' servitude in the Territorial prison. The proceeding upon information, was clearly illegal, and the fact was brought to Judge Pinney's knowledge by District Attorney McCabe, before the case was called for trial, who offered to submit authorities supporting his view of the case, but "the learned Judge" was imperious and ordered the District Attorney to proceed as directed. There being no alternative for the District Attorney but to enter upon the face of a trial, the following named persons were accepted and sworn as jurors, A. Pringle, Foreman; Joseph Hazard, A. Watkins, William Ellison, Charles Bognet, T. J. Cline, David Devore, John Pemberton, Henry Franck, William Mallory, Robert Holt and Con Ryan. They rendered a verdict of manslaughter and the Judge sentenced the defendant as above stated. And now, upon complaint, by Thornton, of illegal detention, he is released from the operation of the trial, by Judge Porter, and remanded to the custody of Thomas Gates, subject to the order of the Sheriff of Gila county. The result will be an investigation by the grand jury and, if an indictment is found, a trial; we cannot say a second trial for the reason that the first was a nullity, possessing none of the requisites of law.

Why "the first trial" is void, in order to render it plain to the general reader, requires explanation, and, therefore, we will state that murder is an infamous crime, made so by the fact that it carries with it, against the offender, a degradation of his civil rights. Article V of the Constitution of the United States, especially provides that "no person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war." On this ground, A. C. Baker, Thornton's attorney entered a demurrer as follows:

THE THORNTON CASE.

"The defendant demurs to the information filed herein, and for cause of demurrer assigns the following grounds: First, Such information does not substantially conform to Section 214, Chap. 2, of the Compiled Laws of Arizona, in this to-wit: (a) It is not an accusation of any grand jury; (b) it is not an indictment; (c) it was not found or presented or returned by any grand jury whatever; (d) it was not returned by any number of grand jurors whatever. Second, Such information contains matter constituting a legal bar to any prosecution under it, in this to-wit: It purports to be an information by the District Attorney and shows upon its face that it is neither an indictment, accusation, presentment or other act of any grand jury whatever and charges murder without any presentment or indictment of any grand jury.

The motion to dismiss was, however, overruled by Judge Pinney. The principle of law, which we contend should have been applied in this case, was held to be good law in a case appealed to the Federal court from the Washington Territorial court, where it was decided that a conviction on information was invalid.

Article V of the Constitution declares, also, that no person shall be subject for the same offense to be twice put in jeopardy of life or limb, nor be deprived of life, liberty, or property, without due process of law. Murder is, by law, declared an infamous crime because of the degradation of the offender from his civil rights; and without an indictment or a presentment of a grand jury the element of constitutional law is wanting in the Thornton case and, therefore, the legal ingredients necessary to protect Thornton from a second trial are wanting.

This judicial blunder cannot be charged upon Judge Pinney, as willfully made; no doubt he believed he was right and, therefore, the responsibility rests with the appointing power who assigned a legal tyro to a judicial position in Arizona.
The costs already incurred and paid, in the "trial" and the removal of Thornton to the Territorial prison, amounts to \$269 65, and the cost of his return to Globe, for trial, will be about \$150, which added to costs, stated as already incurred, places the aggregate sum at \$419 65. We will not predict the cost of the second trial and its results, but will await their definite computation.
Under Sheriff John Benbrook, will start for Yuma prison, on time, in order that Thornton may be present, at the coming term of court, for trial.

Unnecessary Misery
Probably as much misery comes from habitual constipation as from any derangement of the functions of the body, and it is difficult to cure, for the reason that no one likes to take the medicines usually prescribed. Hamburg Figs were prepared to obviate this difficulty, and they will be found pleasant to the taste of women and children 25 cents. At all druggists, J. J. Mack & Co.

The Centennial mill will be started up on Monday next at Yuma.

The fact that on Friday last, ten miles of the railroad had been completed from Flagstaff southeast, in the direction of Globe, and work still progressing with renewed vigor, together with a knowledge of the favorable financial arrangements of the company, gives assurance that, in due time, Globe is to experience the advantages of rail communication with commercial centers, east and west. This enterprise, which is to so greatly benefit us, is a conception of J. W. Eddy, President of the company, who, under all adverse circumstances, has persistently devoted his whole time to the consummation of the undertaking, in which he has been ably assisted by General A. A. McDonald, Vice-President, and chief of construction. In this these gentlemen will be more than rewarded by the proud satisfaction of knowing that to them, more than to any other cause, Central Arizona will be indebted for the thrift and learning population that will undoubtedly follow the building of this road, and though financially benefited themselves, it is no reason why the full measure of praise should not be accorded them for helping others. Take, for instance, the present condition of Globe, with her illustrious latent wealth, which is necessarily dormant because of its present inaccessibility to necessary supplies, except at rates of freight, by wagons, which preclude their use, save in rare cases; and contrast it with its former self or what it will be when it is enjoying the advantages arising from reduced freights by rail. Nor is our connection with the Atlantic and Pacific, at Flagstaff, which is assured, the only advantage Globe will derive from the construction of the A. M. B. Railroad. She will become an entrepot of commercial commodities of the tropics, when connection is made by rail with the Guaymas road, at Benson, and on the north with the coal fields of Pennsylvania and other carboniferous sections, upon which the West is so greatly dependent for the reduction of silver and copper ores.

A suggestion to the Traveling Public.

THE ARIZONA MINERAL BELT RAILROAD.

Tourists, emigrants and business men find that Hatcher's Stomach Bitters is a medicinal safeguard against unwholesome influences, upon which they can implicitly rely, since it prevents the effects of vitiated atmosphere, unaccustomed or unwholesome diet, bad water, or other conditions unfavorable to health. On long voyages, or journeys in latitudes adjacent to the equator, it is especially useful as a preventive of the stomach, liver and bowels, which are apt to attack natives of the temperate zone on arriving or traveling in such regions, and it is an excellent protection against the influence of extreme cold, sudden changes of temperature, exposure to damp or extreme fatigue. It not only prevents intermittent and remittent fever, and other diseases of a malarial type, but eradicates them, a fact which has been notorious for years past in North and South America, Mexico, the West Indies, Australia, and other countries.

A Suggestion to the Traveling Public.

The critic states that a petition is being circulated in Holbrook and has received a large number of signatures, asking the postoffice department to establish a mail route from that point to Payson, via Phoenix Park, Wilford and Pleasant valley. Similar petitions have been signed and forwarded to Washington from the many settlements along the line of the proposed route.

One Elegant Parlor Set, silk covered, unlined; also 1 Black Walnut top table; 1 Hanging Lamp; 1 Parlor Brussels Carpet; and numerous other articles, such as, Pictures, Brackets, Vases, etc., etc. For particulars enquire at this office.

FOR SALE AT A BARGAIN.

NOTICE—All persons indebted to me are hereby notified that I will presently be absent from Globe for a few weeks, and wish to collect what is due me, and that all unpaid accounts will be placed in the hands of an attorney, on and after April 5th, for collection. W. H. Cook.

Mr. Con Burns arrived from the East yesterday (March 25th) and is prepared to pay Mr. Hardy and partners of Cherry district, \$35,000 for their gold mine. Mr. Hardy will be here soon and get the money. Prescott Courier.

We have word from Camp Thomas that Frank Storey is improving slowly. Kemp, who was shot through the head by deputy sheriff O'Neil, was still alive, but no hope of his recovery is entertained.

The trial of Alexander Goldenson for the murder of Mamin Kelley, on the street in San Francisco, Nov. 10th, 1885, resulted in a verdict of guilty, and affixed the penalty of death. He will be sentenced today.

The death of William S. Dury is announced. He was seventy-four years of age, and had long been a resident of Tucson and was regarded as a leading citizen of Pima county.

If you want a good suit of clothes custom made, leave your order with E. F. Kellner & Co.

THE ARIZONA MINERAL BELT RAILROAD.

Now that the session of the Fourteenth Legislature has closed, and their acts of commission and omission have, to some extent, become known through the agency of the press and members' reports to their constituents, it has become evident to a majority of thinking citizens that Gov. Zolick, in his capacity as executive of the Territory, is a failure, and that the charges of political duplicity brought against him by an almost unanimous press, are generally true. He has certainly not helped the Democratic party in Arizona, but, on the contrary, has been the means of causing dissensions in its ranks and lowering it in the minds of many people who love integrity and honesty of purpose in public officials and party leaders. The appointment by the President, of Zolick as Governor of Arizona was, to say the least, unfortunate.

It is quite evident that not all the acts, performed, of the Fourteenth Legislature, or what was left undone, were wise; yet there was an unusual amount of good sense and honest intention, together with hard work and a commendable spirit of independence displayed in that body—especially in the lower house. Yet the work performed by the Fourteenth is far from satisfactory and when the cause is sought, it is found that desirable legislation was obstructed and made nugatory by a minority party, at the head of which was the Governor.

It would be difficult to point to an administration that committed so many inconsistencies; whose acts were so much in opposition to its plausible talk and assumption of high moral grounds as were Gov. Zolick's. His veto of the District Judges salary bill, after having recommended it in his message, is an example of his erratic course. Again, while the Governor advocated abolishing County Courts, he endeavored to saddle upon the several counties an equally if not more costly judiciary system—circuit courts—all, perhaps, in the interest of good government; but more likely to create fat positions for his henchmen. Then, in contrast with his veto of the lottery bill, on high moral grounds, is his sanction of all sorts of gambling by signing the bill licensing games of chance.

As an economist, too, Zolick is not less singular in his actions. He must have considered it wise economy to advise the Legislature that no clerical force in excess of that provided by Congress, could be employed, which made impossible the keeping of journals of proceedings, and the proper enrolling and engrossing of bills, which are now left to the tender mercy of those who have the handling of them, who may do them as they see fit without fear of detection. But the Governor was not backward in pressing, upon the Appropriation Committee, the payment of the expense incurred by the unauthorized publication of the proceedings of the Insane Asylum Commissioners.

But, aside from all such questionable actions, the Governor has certainly not treated the representatives of the people with due frankness and respect. His appointment, to important offices, of men to act as dummies, with the design of subsequently rewarding his henchmen of the legislative body, was grossly unjust, and, the writer thinks, contrary to organic law, and this action and the withholding of the Insane Asylum documents from the House, was undignified and selfish. It is to be hoped that Gov. Zolick will—in view of the almost unanimous expressions of dissatisfaction with his course from press and people—see the error of his way and make amends, as far as lies in his power.

Check No. 178 in favor of Liu Sing by W. H. Duryea, Globe, A. T., on Wells Fargo & Co. of San Francisco, for \$24, having been stolen, payment has consequently been stopped.

PREFERRED LOCALS.

New clothing samples just arrived at G. S. Van Wagenen's.

For the ladies, ribbons and parasols, at Myers & Schein's.

Fresh groceries constantly arriving at Van Wagenen's.

Butter, eggs, spoils, lard, dry salt meat and lard, at Van Wagenen's.

H. C. Hitchcock has arranged to keep all the magazines and periodicals usually on hand at news depots, and would invite all who wish any of the standard publications to leave their orders with him within the next thirty days, and they will receive prompt attention. Lists of different authors and their works will be on hand, and every effort made to accommodate my patrons.

To Rabonant We will take good horse cattle delivered at our sawmill for train in our store, or train parties owing us, one half in trade and one half on account at the following prices: Yearlings, \$10; Two Years, \$15; Cows, \$18; Cows and Calves, \$23 to \$25; Steers, \$9, \$13, \$17. Cattle must be sound and fatigued.

E. F. Kellner & Co.

COMMUNICATIONS.

For sale at a bargain! A large new Palmist Wall Tent with adjustable brass rod frames, and patent windows, arranged to pack closely on a pack-horse; also contains suspension-bed, etc.
E. F. Kellner & Co.

Buy a Seersucker dress at Myers & Schein's. It will wash and needs no starching nor ironing.

For Rent—From April 1st, till winter my dwelling of four furnished rooms, all complete. Price \$25 per month in advance.
E. F. Kellner.

Just received by Alex. Graydon, a car load of Cumberland coal.

At the beginning of the new year you should renew your subscriptions for your papers and journals, and Hitchcock keeps an order list always ready. He will write for any information you may desire.

Wines and Liquors.
White Rye Whiskey, Bourbon Whiskey, Gin, Vodka, etc., etc., at G. S. Van Wagenen's.

WANTED.—An agent for Gila county. Machines will be furnished on consignment to a reliable party, and a liberal commission allowed on sales. Address—The Singer Manufacturing Company, Tucson, Arizona.

Myers & Schein's stock is replete with the latest novelties in dress goods, millinery, hosiery, etc. Also a fine line of gent's shirts and furnishing goods. Call and be convinced.

California and Hayden's flour, oat meal, corn meal, cracked wheat, rolled oats, etc., etc., at Van Wagenen's.

Tea at Taylor's, just the thing these cold nights. Try it.

Rosary trimmings and Moon Light on the Lake jerseys at J. Myers & Schein.

Great reduction in cash prices at E. F. Kellner & Co.

Don't forget to have your orders for magazines, the latest novels, and ladies journals, at Hitchcock's.

DIED.
WARNICK—In Globe, March 27th, Mrs. Lela Warnick, wife of Wm. Warnick.

Trumbull & Bebee,
Growers, Importers and Dealers in
SEEDS
TREES PLANTS,
419 & 421, Sansome Street, San Francisco.
CATALOGUE for 1887.
Free on Application. (ap12-3m)

1849 1886

May good fortune follow the readers of **The Daily Alta**

The foremost newspaper of the Pacific Coast, which presents both sides of all matters of public interest. No enemies to publish or suppress to get, but fair and truthful with all.

The Weekly Alta

Presents the strongest possible claim to a family circulation. It is filled with good reading, stories, fashion notes, and pays intelligent attention to the House and Farm. Splendid premiums with the Weekly Alta.

TERMS OF THE ALTA.
By Mail, Postage Free, for the United States and Canada:
Daily, (including Sunday) One Year, \$5.00
Sundays Only, One Year, \$2.00
Sundays Only, One Year, \$2.00
Sundays Only, One Year, \$2.00

Send postal card requesting free sample copy of Daily or Weekly Alta, Dials, Chances, and other remittances should be made payable to the order of the

ALTA CALIFORNIA PUBLISHING CO.
San Francisco, California.

HEART DISEASE.

Heartache. Dr. FERRY'S HEART REMEDY is one of the best remedies known for heart disease, which is often dependent upon disease of the heart, sometimes upon nervous system, and some times upon derangement of the circulation.

Convulsions. Dr. FERRY'S HEART REMEDY at once calms convulsions to cease, and by a proper use of the medicine will prevent their recurrence, either in children or adults.

Bilem. Dr. FERRY'S HEART REMEDY, when given in case of bilem, calms the excited brain, and by soothing rest for the sufferer, promotes the restoration of health.

A Double Influence. Dr. FERRY'S HEART REMEDY will cure cases of bilem which other remedies have failed to reach, as it cures a double influence, in that case over the circulation, and in this case over the nerves.

At druggists, \$1.50. Descriptive treatise with each bottle, or address

HAMBURG FIGS.
Particular and children whose taste cannot be satisfied with ordinary HAWTHORNE FIGS, are invited to try our Hamburg Figs, which are as pleasant to the taste as it is effective in curing biliousness, indigestion, etc., etc.
At all druggists, or address
J. J. MACK & CO.,
5 and 7 Front St., San Francisco, Cal.

Great Reduction

Pioneer News Depot.

All S. F. Dailies, 50 cts. per month.

Century and Harpers Monthlies, 35 cents per copy. Frank Leslie's Popular Monthly 25 cents per copy.

All Pictorial and Weekly Story Papers the same price per month as by yearly subscription.

Seaside and kindred publications at the Market Price and a Liberal Reduction will be made for large lots.

Subscriptions and Sales at the above prices must invariably be in advance or for CASH. Also a full line of Blank Books and Stationery at the Pioneer News Depot.
C. E. TAYLOR, Sole Proprietor.

J. MYERS & SCHEIN.

We Have the Most Complete Stock of **DRY GOODS,**

FANCY GOODS, LADIES, MISSES AND CHILDRENS SHOES, LADIES TRIMMED HATS, ETC., on hand, and offer them at prices which DEFIES COMPETITION.

IN OUR **DRESS GOODS DEPARTMENT**

You will Find Homespuns from 25cts. upwards in all Desirable Shades.

Also FRENCH PINHEAD PLAIDS, and a full line of FRENCH CASHMERE GILLETTS, SERGES, BEGES, ENGLISH MERINOS, and invisible stripes, heavy Scotch and woolen CHEVIOTS for Ladies' Winter Dresses, Etc. Also CRINKETT SEERSUCKERS, GINGHAMS, SHIRTINGS, Etc.

A Full Line of Pressed Flannel in White and Red, as well as Marysville Scarlet and Navy Blue Twilled Flannels.

COTTON FLANNELS in all Colors, Table Linens, Napkins, Towels, Toyote Quilts, Sheetings, Pillow Cases, Bleached and Unbleached Muslins, Etc. Also SILKS, SATINS and VELVETS in all shades, CORSETS, JERSEYS, REIGONS, a full line of Challis, Spanish and Valenciennes Lace, White, Red and Indigo Blue Embroideries, Ladies, Misses and Childrens Cotton, Lisle Thread and Woolen Hose, Ladies and Childrens Marine Underwear, All Shades of Berlin Zephyrs, Silk Floss, Ladies Buck Driving Gannetts.

A Full Line of Six Button Kid Gloves which we offer at \$2.25 per pair.

We have a Full Line of Gents, Youths and Boys Clothing, consisting of Gents and Youths Cordscrew and Cashmere Suits, Boys Cashmere and Corduroy Suits, Etc. Also a complete line of Gents and Boys Underwear and Furnishing Goods, Hats, Shoes, Hata, Blankets, Quilts, Blanket Lined Coats and Pants, Trunks, Valises, Gloves, Etc.

In our FURNISHING GOODS DEPARTMENT you can find Scarlet Knit all Wool Medicated Underwear, Double Shield front and back.

WE OFFER ALL OUR GOODS AT VERY LOW PRICES AND DEFY COMPETITION of any Store in the Territory.

J. MYERS & SCHEIN.

J. Redman's

Meat Market,

THE STALLION

BROAD ST., - - - GLOBE, A. T.

Billy Langford

Will make the season—from

April 1st. to July 1st, at

Willow Springs.

TERMS.—Single service \$5 or \$15 for the season.

PREMIER.—Bred by Billy Newell, he by Norfolk and Norfolk by Old Tenthredin. MANAGER P. W. WILSON, mch26-1m)

NOTICE.
My son, Charles Warnick, having left his home without my consent, I therefore, make it known that I will not be responsible for any of his acts, whatsoever.
WILLIAM W. WARNICK,
1886, A. T., March 12, 1887. mch26-1w

Over 6,000,000 PEOPLE USE FERRY'S SEEDS.
D. M. FERRY & CO.,
Largest Seedsmen in the World.
D. M. FERRY & CO.'S
Horticultural Seedsmen, 123
N. 4th St., Detroit, Mich.
For 1887
will be mailed
FREE TO ALL
applicants, and
to those who
order any of our
seeds, or who
order any of our
seed catalogs.
D. M. FERRY & CO.
are at the
Detroit, Mich.